

IN THE CIRCUIT COURT FOR THE TWELFTH JUDICIAL
CIRCUIT, WILL COUNTY, ILLINOIS

THE PEOPLE OF THE)	
STATE OF ILLINOIS,)	
)	
Plaintiff,)	
)	
vs.)	No. 2009 CF 1048
)	
DREW PETERSON,)	
)	
Defendant.)	

REPORT OF PROCEEDINGS had at the hearing of the
above-entitled cause, before the Honorable
EDWARD A. BURMILA, Judge of the Twelfth Judicial
Circuit, Will County, Illinois, on the 21st day of
February, 2013.

Karen Moser
Official Court Reporter
CSR No. 084-004106

THE COURT: Mr. Peterson, you have a statement
you'd like to make.

THE DEFENDANT: Yes.

THE COURT: Go right ahead, sir.

THE DEFENDANT: Would you like me to sit up.

THE COURT: You can stand right where you are or sit whatever you'd like.

THE DEFENDANT: I don't have a loud speaker so I am worried about people being able to hear me.

THE COURT: Then you can take the stand. You can speak at the roster if you choose to there. Go ahead, sir.

THE DEFENDANT: Good day. My name is Drew Peterson. I hope I don't aggravate the situation, but I have a lot of things that I think need to be said.

THE COURT: Say whatever you choose.

THE DEFENDANT: And I have been forced to sit silent since the beginning of all this. I did not kill Kathleen.

UNIDENTIFIED SPEAKER: Yes, you did.

THE COURT: There won't be any comments from the audience, or I will have to --

UNIDENTIFIED SPEAKER: Your Honor --

THE COURT: Ma'am, I'd like you to leave the courtroom. Mr. Peterson, don't make any outbursts which are calculated to irritate anyone in the audience. You are speaking to the Court now. Please go ahead.

THE DEFENDANT: I am sorry, Your Honor, I just have to apply the affirmative defense for misconduct in your courtroom. I apologize but --

THE COURT: Go right ahead.

THE DEFENDANT: I must have been woozy.

THE COURT: Go right ahead.

THE DEFENDANT: For the last couple of years the Illinois state police in conjunction with the will county state's attorney's office has conducted the most extensive, expensive, and obsessive investigation probably known in the United States. They harassed every family member, friend, friend of friends, neighbor, fellow employee, love interest I have ever had. They did illegal searches on my property without a warrant and when they obtained warrants, they did it with three year old bad probable cause. What this did was give the Illinois state police the ability to souvenir, hunt, steal from my home. No usable evidence was ever found.

They altered evidence, and evidence that was discovered in the first investigation miraculously disappeared; evidence that could have shown me and helped my defense. They intimidated witnesses, and they terrorized my children.

State police wrote reports that didn't reflect what the witnesses said and this was uncovered in court and in one case by a Lieutenant

Coffman of the Bolingbrook police department. Was this incompetence at best or false police reporting at worse. Did they falsify police reports in their obsession. They advised the state's attorney's office who failed to disclose these items; however, this wasn't discovered in court, and I have to ask how many other times did the state police make false police reports and all this was failed to be disclosed. What they did uncover was rumors, gossip, outrageous lies, and most importantly unreliable hearsay; hearsay that pierced three privileges that stood for centuries. I may be redundant with some things that other people said, but I need to say them.

First privilege was a clergy privilege. When we met with Neil Schori, he was to become Stacy

and mine marriage counselor and when we talked with him, he promised us, he guaranteed us, that anything we talked about would remain personal and private and would not ever be repeated. He subsequently lied. The marital privilege was pierced to subsequent create an agency. Neil Schori testified that Stacy told him that I asked her to lie for me in front of the state police. There was no proof of that, no proof of truth, and out of this privileged information from Neil Schori, the State was able to create an agency and much like the fruits of the

poisonous tree doctrine, I find it hard to believe the State was able to take information that they obtained illegally and turn it to their benefit and pierce the marital law privilege. The lawyer client privilege was pierced. Harry Smith, without being compelled, at both the hearsay hearing and at my trial, gave up information, privileged information, from both Stacy and Kathy like it was yesterday's garbage. All that information between Harry Smith and Neil Schori was what ultimately led to my conviction. Hearsay's a scary thing. It requires no proof of truth, and I have to ask the Court who would be accountable for a lie. The person saying

the hearsay or the person who said the hearsay so anything could be said and nobody's accountable for the truth.

The appellate court took away the ability for a judge, in this case Steve White, to determine reliability and put in the hands of lay people who don't have a clue. Other mitigating factors in this: Neil Schori testified under oath that Stacy could be lying. He also testified reluctantly in my trial that Stacy could have been lying. We have to look at statements that were made that convicted me were all statements made by women who were trying to better position themselves in a divorce or as testified trying to extort money out of a divorce.

Divorce statements in and of themselves should be under suspicious and cause for a doubt.

Stacy made statements I killed my own men in the army which if somebody would have noticed that that wouldn't be true. She made statements that my son Tom knew I killed his mother. Tom testified that that never happened and he never believed that I killed his mother. In my experience in divorce situations everybody lies and everybody lies basically under the instructions of their own

6

attorneys. There was an incident when Kathy was arrested when she exited the home when me and Stacy were there picking up the kids for a visit and she punched Stacy in the face. Kathy was arrested and charged. They went to court, it went to trial. My nine and ten year old sons were called to testify and under oath they lied. Kathy was subsequently acquitted, found not guilty of the charges, and the next visit with the kids I questioned them, why did you guys lie. They looked at me and said Harry Smith told them to lie, and they were protecting their mom because they didn't want her to go to jail. That couldn't be done.

Stacy provided me with an alibi right after Kathy's death. She provided me with an alibi to the Illinois State police and you would think that alibi would be more reliable because it was made to state

officials under penalty of law if she was perjuring herself. Then she later said she was lying about that. Seemed like Stacy was lying all the time about everything, but the State's Attorney picks and chooses what they believed and what they chose not to believe. In fact all her testimony should be stricken as Judge White did; however, the appellate

court changed that ability for the judge to make that decision. Stacy clearly had a crush on Reverend Schori which I think was a factor in this otherwise why would Reverend Schori think he'd need a witness during the counseling forum or during the counseling situation. And the location of where you choose to practice your religion or speak with your attorney or your clergy personnel should be insignificant because can't you pray anywhere, can't you practice your religion anywhere so I am boggled by the fact that all these privileges were pierced. There was a constant and continuous illegal activity by the state's attorney's office including the State's Attorney himself.

They violated court orders, they failed to discuss or disclose evidence properly, they made accusations against the court or exchange in Emails with His Honor, and defense counsel who we will say were chastised so what the State's Attorney did they found them a skinny butt spokesperson to go out and

speak publicly, criticize the Court, say anything she wanted, and offered the state's attorney's office from any anger the court might bring.

The grand jury in this case was convened and

8

used by the state police basically to intimidate witnesses to make them or to compel them to talk, hundreds of people were drug in front of the grand jury particularly on my case, and I know there were other cases going on at the time but it was primarily my case. And when it came time for a vote from the grand jury, only a handful of people were selected, not the entire grand jury was selected to come in and do the vote, pretty much guarantee a true bill of indictment which I was. All this misconduct took place under the nose and in the eyes of the court. I can't believe the court would believe a second to say misconduct didn't take place in the state's attorney's office, the state police were unsupervised in the investigation and preparation of this case. There was a first investigation of this case in which probably one of the most experienced investigators was one of the first people on the scene from the state police and he determined that Kathy's death was an accident.

The late Dr. Mitchell, forensic pathologist for the county at that time, looked at Kathy's body when it was in its freshest state. He determined

she died of an accident. There was a coroner's jury

convened that viewed all the information, and they determined that Kathy's death was an accident. All this was done when the evidence was at its freshest. Three years later when Stacy disappeared the State took an accident and staged a homicide. I may be redundant of a lot of things but again I need to say them.

I was a police officer for 32 years. From '74 to '76 I was a military policeman. I took pride in my work. I did regular post duty and a secret security clearance and was assigned to the secret service occasionally to the presidential and VIP security; security at the highest level. I got an honorable discharge from the United States Army and in 1977 I joined the Bolingbrook police department. I was quickly assigned to the Metropolitan Area Narcotics Squad. I received the rank of inspector with the Illinois police department. I received the credential making me a deputy sheriff with the Will county sheriff's department along with a Bolingbrook police officer. I did undercover work for five years and my conduct was exemplary. I got out of the M.A.N.S. unit. I was reassigned back to patrol of the Bolingbrook police department where as a

patrol officer, field training officer, a squad officer and detective. I received numerous awards - police officer of the year, numerous citations and accommodations and is probably one of the highest decorated officers at the Bolingbrook police department. Only 20 percent of police officers are promoted to a supervisory rank and in the 1970s -- correction 1997, I was promoted to the rank of sergeant. My duties included running a shift of 8 to 15 police officers. I was a S.W.A.T supervisor, and I was responsible as a watch commander for the responsibility, welfare, and the care of a town population of 80,000. I always took my job seriously. I never violated the public trust, and I never bared false witness against anyone. I loved having a job which allowed me to help people.

In my private life I owned and operated and was the president and CEO as many as six companies and at one time employed as many as 100 people. I helped everybody who asked me for it and every day I'd give the shirt off my back. Any skills that I had when people knocked on my door looking for help, I helped people at my own expense.

Until this happened, I thought I was viewed

as a great guy and then moments the media turned me into a monster. First chance I get I am going to

get a tattoo on my back from shoulder to shoulder and it's going to read no good deed goes unpunished. That statement now defines my life.

I love Kathy. She was a good mom. She kept a nice home. She did not deserve to die, but she had an accident, but she was so emotionally and psychologically damaged by some of these same people Mr. Glasgow paraded in front of you today that made it impossible for her to keep and maintain any kind of long-term relationship.

I will try to be brief but today Kathy's story needs to be told and not the Disney version her sister's might have you have believe. When Kathy was 3 years old, she was abandoned by her father. Her mother remarried. She married a man who was abusive both mentally, physically, sexually abused her. When she tried complaining to her mother, her complaints fell on deaf ears. She never told me whether her sisters experienced these same issues; however, they knew what was going on and when they became old enough, they left the home, again abandoning her, leaving her to face all these

problems by herself.

Her father, who had moved to the southwest part of the country had another family, abandoned them, moved back to the Chicagoland area, and Kathy in her early teens, moved in with her father to

escape the abuse from one household where she met with abuse from a stepmother and her father she was physically and emotionally abused and at 16 years old, she was put out on her own much like a dog being tied to a tree who they didn't want him anymore only difference is Kathy didn't get a bag of dog food. The most pathetic thing I have ever seen in my life was the night after our wedding when I held Kathy and she cried because her father failed to show up to give her away at our wedding. Her sister Anna testified that Kathy made a promise to take care of her boys if she died. I don't think Kathy meant take action to put their family in financial harm. At Kathy's wake friends of the family put money in cards and envelopes to help with the cost of the funeral. I paid for the funeral.

UNIDENTIFIED SPEAKER: You did not. There's a liar right there.

THE DEFENDANT: I have the receipt. I paid for

Kathy's funeral at the request of her Sister Anna who is sitting right there. I don't think Kathy meant when she said take care her kids for Anna to steal the money and spend it on herself, and I didn't think when Kathy said take care of my kids she meant show my kids the same neglect that you showed her through the years; however, in this case the Savio family neglected my kids and abused a good

thing.

Kathy's sister Anna was unhappy with the results of the original autopsy and when Stacy disappeared Anna contacted Dr. Baden, the world renown pathologist, and asked him to come and take a look at Kathy's body again and explain to him her concerns and doubts. Kathy's body was exhumed, Dr. Baden did another autopsy at which time he made different findings with his autopsy with a body that's been soaking in water for three years decaying. He took the head off the mother of my children. He cut off the head of the mother of my children and he put it on a counter so that the TV producer assisting him could take a picture to sensationalize the moment for a TV show. This didn't bother the Savio's at all. They were more

14

concerned about who was going to pay for the burial luncheon. These people ruined her life which ruined my life. Now, they are attempting to ruin my kid's life. These people were not there for her in her life, and they have no business speaking for her in her death.

I have six children - Lacy, age 7; Anthony, age 9; children with Kathy - Christopher, age 18, pursuing a law degree or pursuing a degree in law studying at Western Illinois; Tommie's pursuing -- he's 20 pursuing a degree in medicine; my son Steve,

who is a police officer, or was a police officer. He lost his job when I was illegally charged with a weapons charge and he got tied up in it and without cause he lost his job and he lost his income, and I have an older son Eric, 35, who I am estranged from. Eric stopped talking to me when I became involved in a relationship with Stacy.

Mr. Glasgow, all aspects of my life have been destroyed. Everything from my personal life to my professional life to my social life, all aspects have been destroyed, and I tell you this to give you greater cause for celebration when you celebrate the fact that you perpetrated the largest railroad job

15

that ever took place in this country. Like Mr. Lopez says, I don't do well in incarceration. I have been held in solitary confinement for almost four years. Due to the bad food and lack of exercise, I have high blood pressure, high cholesterol, borderline diabetes, a variety of skin issues, and I've had two bouts with skin cancer. Since I have been incarcerated, I have had nine family members who have died; six of which were cousins; none of them making it to the age of their mid 60s.

Then tell me this, I am not looking for any sympathy, the point I am trying to make is anything you sentence me to, you are sentencing me to the

Department of Corrections to die. If you go through the constitution and the various amendments, I feel all my rights have been violated one way or the other, twisted, turned, right to a speedy trial, right to confront my accusers, right to against reasonable -- rights against unreasonable searches and seizures, forgive me, if you give me a moment; right to a reasonable bond, equal protection of the law just to name a few, and I think the only thing left to make this case for true form would be a

16

cruel and unusual punishment, and I don't think nobody would care because nobody cares. I can't believe I spent 32 years defending the Constitution that allowed this to happen to me. I can't believe people fought and died in wars to protect the Constitution that allowed this to happen to me. Everybody should be outraged, but nobody cares. I take full responsibility for my relationship with the media.

When this first broke out, the terrifying event took place, my house was barraged with what I believe was 20 media trucks, barrages, every emporium you could imagine, and I just wanted them away from my house because they were scaring my kids. They hounded me. I agreed to go on national TV to tell my side of the story and asked for legal help. Everything from busy bodies like Nancy Grace

to the local and national news to that ridiculous movie that was played repeatedly right before my trial, during my trial, which introduced to the public evidence that the state's attorney's office knew would never be allowed in a court, but it allowed the jury, pretty much guarantee, that I would not receive a fair trial. It was pretty clear

17

the State took part in that movie because things I recall saying to the state police, and only to them, was in that movie. I did receive advice from counsel which seemed sound at the time to make as many TV appearances as I could. The same advice was given to governor Rod Blagojevich. We share the same publicist, and the same advice was given to us by the same person. Seemed like sound advice at the time.

I am an obnoxious man by nature truly and through the years as a police officer, like most police officers, my defense mechanism is always comedy which is normally not seen by the public. The media took it and capitalized on that, exploited that, and my obnoxious nature shined through, but I want to show the Court at no time did I, in any way, wish to project any insensitivity to anyone. Did that make sense?

THE COURT: It did, sir. Go ahead.

THE WITNESS: Kathy's death, it was never my

intention throughout these proceedings, no one witness, no one juror, not one prosecutor looked me in the eye until today, and I hope Mr. Glasgow looks me in the eye right now; never forget my face; never

18

forget what you have done here.

Originally, I had some cute and funny things to end with but in closing now it's time to sentence an innocent man to a life of hardship and abuse of prison, and I don't deserve this. I don't deserve this. Thank you.

